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# Part VII

# Department of the Interior

## Office of Surface Mining Reclamation and Enforcement

## Determination of Completeness for Permanent Program Submission From the State of Montana

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

### Determination of Completeness for Permanent Program Submission From the State of Montana

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM) U.S. Department of the Interior.

**ACTION:** Notice of Determination of Completeness of Submission.

**SUMMARY:** On August 3, 1979, the state of Montana submitted to OSM its proposed permanent regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). This notice announces the Regional Director's determination as to whether the Montana program submission contains each required element specified in the permanent regulatory program regulations. The Regional Director has concluded his review and has determined the Montana program submission is complete.

**ADDRESSES:** Written comments on the Montana program and a summary of the public meeting are available for public review, 8:00 a.m.–4:00 p.m., Monday through Friday, excluding holidays at: Office of Surface Mining Reclamation and Enforcement, Region V, Post Office Building, Room 225, 1823 Stout Street, Denver, Colorado 80202.

Copies of the full text of the proposed Montana program are available for review during regular business hours at the OSM Regional Office above and at the following offices of the State regulatory authority:

Montana Department of State Lands, 1625 11th Avenue, Capitol Station, Helena, Montana 59601.

Department of State Lands Field Office, 1245 North 29th Street, Billings, Montana 59101.

**FOR FURTHER INFORMATION CONTACT:** Sylvia Sullivan, Public Information Officer, Office of Surface Mining Reclamation and Enforcement, Post Office Building, Room 270, 1823 Stout Street, Denver, Colorado 80202.

**SUPPLEMENTARY INFORMATION:** On August 6, 1979, OSM received a proposed permanent regulatory program from the State of Montana. Pursuant to the provisions of 30 CFR Part 732, "Procedures and Criteria for Approval or Disapproval of State Program Submissions" (44 FR 15326–15328, March 13, 1979), the Regional Director, Region V, published notification of receipt of the program submission in the **Federal Register** of August 13, 1979 (44 FR 47414–47415) and in the following newspapers of general circulation within Montana:

Billings Gazette, Bozeman Chronicle, Montana Standard, Great Falls Tribune, Hamilton Republic, Havre News, Helena Independent Record, Kalispell Inter Lake, Livingston Enterprise, Miles City Star, and Missoulian.

The August 13, 1979, notice set forth information concerning public participation pursuant to 30 CFR 732.11. This information included a summary of the program submission, announcement of a public review meeting on September 12, 1979, in Helena, Montana to discuss the submission and its completeness, and announcement of a public comment period until September 12, 1979, for members of the public to submit written comments relating to the program and its completeness. Further information may be found in the permanent regulatory program regulations and **Federal Register** notice referenced above.

This notice is published pursuant to 30 CFR 732.11(b) and constitutes the Regional Director's decision on the completeness of the Montana program. Having considered public comments, testimony presented at the public review meeting and all other relevant information, the Regional Director has determined that the Montana submission does fulfill the content requirements for program submission under 30 CFR 731.14 and is therefore complete.

No later than November 20, 1979, the Regional Director will publish a notice in the **Federal Register** and in the following newspapers of general circulation in Montana initiating substantive review of the program submission:

Billings Gazette, Bozeman Chronicle, Montana Standard, Great Falls Tribune, Hamilton Republic, Havre News, Helena Independent Record, Kalispell Inter Lake, Livingston Enterprise, Miles City Star, and Missoulian.

The review will include an informal public hearing and written comment period. Procedures will be detailed in that notice. Further information concerning how that substantive review will be conducted may be found in 30 CFR 732.12.

The Office of Surface Mining is not preparing an environmental impact statement with respect to the Montana regulatory program, in accordance with Section 702(d) of SMCRA (30 U.S.C. § 1292(d)), which states that approval of State programs shall not constitue a major action within the meaning of Section 102(2)(C) of the National Environmental Policy Act.

Dated: October 1, 1979.

**Donald A. Crane,**

*Regional Director.*

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